1. Working group name:

*Cultivation Working Group*

1. Individual sponsor(s):

*Lynn Hettrick – Division Administrator - Nevada Department of Agriculture*

*Tessa Rognier – Agriculturist III - Nevada Department of Agriculture*

1. Describe the recommendation:

*Both marijuana and industrial hemp are in the genus Cannabis Sativa L. Cross pollination can destroy the value of both crops. The recommendation is to establish a buffer zone of at least five miles between outdoor Cannabis Cultivation Facilities or from any indoor cannabis cultivation facilities, unless the Nevada Department of Agriculture grants a variance. It will be necessary for the Nevada Department of Agriculture to be informed of the proposed site of an outdoor Cannabis Cultivation facility during the application process to ensure that there is an adequate buffer zone to prevent cross pollination of the cannabis crops.*

1. Which guiding principle(s) does this recommendation support?

*Guiding Principle 2 - Be responsive to the needs and issues of consumers, non-consumers, local governments and the industry*

*Guiding Principle 6 - Establish regulations that are clear and practical, so that interactions between law enforcement, consumers, and licensees are predictable and understandable*

*Guiding Principle 7 - Take action that is faithful to the text of Question 2*

1. What provision(s) of Question 2 does this recommendation apply to?

*The provisions of Question 2 that allow for Outdoor Cannabis Cultivation, as opposed to Medical Cultivation which must be inside a warehouse or greenhouse facility.*

*Section 13, Subsection 2: All cultivation, processing, and manufacture of marijuana must take place at a physical address approved by the Department and within an area that is enclosed and locked in a manner that restricts access only to persons authorized to access the area. The area may be uncovered only if it is enclosed with security fencing that is designed to prevent unauthorized entry and that is at least 8 feet high.*

1. What issue(s) does the recommendation resolve?

*The issue is of cross pollination that may occur between male industrial hemp species with less than 0.3% THC that produce pollen, and female cannabis plants cultivated for medicinal/adult consumption.*

*The recommended buffer zone would also limit the possibility of female hemp species with less than 0.3% THC being pollinated by cannabis plants cultivated for medicinal/adult consumption that contain more than 0.3% THC.*

1. Was there dissent in the group regarding this recommendation? If yes, please provide a summary of the dissenting opinion regarding the recommendation.

*No, everyone in the working group was in agreement there should be regulations set in place to prevent both of the fore mentioned situations.*

1. What action(s) will be necessary to adopt the recommendation? Will statute, policy, regulations, etc. need to be addressed?

*Recommendation to add the following into regulation for outdoor cannabis cultivation facilities:*

*Outdoor cannabis cultivation facilities need to be isolated at least 5 miles from any other outdoor cannabis cultivation facilities and any indoor cannabis cultivation facilities to limit the possibility of cross pollination between male and female cannabis plants. Cannabis cultivation is defined as industrial hemp cultivation and/or marijuana cultivation. The Department of Agriculture may consider granting a variance relating to isolation distances of cannabis cultivation facilities.*

***Application for certification of location Outdoor Cannabis Cultivation***

1. *For each outdoor cultivation location, an applicant must submit to the Department of Agriculture an application for verification of adequate isolation. An outdoor cultivation facility may request from the NDA, confirmation of adequate buffer zone isolation prior to submitting the application for certification of location.*
2. *Each application must:*

*(a) Be on a form obtained from the Department of Agriculture;*

*(b) Include documentation that verifies that the cultivator has;*

*1) Appropriate licensing,*

*2) Approved zoning and*

*3) Any other use approvals required by the local jurisdiction;*

*(c) Include a map and/or GPS co-ordinates that demonstrates the location of the proposed cultivation facility;*

*(d) Include any other information requested by the Department of Agriculture;*

*(e) Be received and approved by the Department of Agriculture before the proposed cultivation area begins operations.*

1. Additional information (cost of implementation, priority according to the recommendations, etc.).

*A consolidated budget, including the services to be provided by the NDA, has been submitted to the Department of Taxation.*